

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL NORLEY,)	
)	Civil Action
Petitioner)	No. 10-cv-5893
)	
vs.)	
)	
SHEILA LANDIS,)	
CHRISTOPHER MURPHY,)	
THOMAS BAYER and)	
D. EDWARD MCFADDEN,)	
)	
Respondents)	

O R D E R

NOW, this 19th day of March, 2012, upon consideration
of the following documents:

1. § 2241 Habeas Corpus Petition Form to be Used
by Prisoners in Actions under 28 U.S.C. § 2241,
which petition was filed pro se by petitioner
Michael Norley on October 29, 2010 (Document 1);
2. Answer of the District Attorney of Chester
County to Petition for Writ of Habeas Corpus,
which answer was filed January 5, 2011
(Document 7);
3. Report and Recommendation of United States
Magistrate Judge Henry S. Perkin filed March 30,
2011 (Document 8);
4. Order of the undersigned dated July 20, 2011
and filed July 21, 2011 (Document 9);
5. Response of the District Attorney of Chester
County to July 25, 2011 Order of the Honorable
Henry S. Perkin, which response was filed
August 16, 2011 (Document 12); and
6. Amended Report and Recommendation of United
States Magistrate Judge Henry S. Perkin filed
October 27, 2011 (Document 14);

it appearing that as of the date of this Order no objections have been filed to the Amended Report and Recommendation of Magistrate Judge Perkin; it further appearing after review of this matter that Magistrate Judge Perkin's Amended Report and Recommendation correctly determined the legal and factual issues presented in the petition for habeas corpus relief,

IT IS ORDERED that Magistrate Judge Perkin's Report and Recommendation filed March 30, 2011 and his Amended Report and Recommendation filed October 27, 2011 are each approved and adopted.¹

IT IS FURTHER ORDERED that the petition for habeas corpus relief is denied without prejudice to refile after exhausting all state court remedies and dismissed without an evidentiary hearing.

IT IS FURTHER ORDERED that because petitioner has not met statutory requirements to have his case heard, and no reasonable jurist could find this ruling debatable, and because petitioner fails to demonstrate denial of a constitutional right, a certificate of appealability is denied.

¹ It is the sense of this Order that because the original Report and Recommendation filed March 30, 2011 and the Amended Report and Recommendation filed October 27, 2011 each recommend the same result, I am approving and adopting both.

IT IS FURTHER ORDERED that the Clerk of Court shall
close this matter for statistical purposes.

BY THE COURT:

/s/ JAMES KNOLL GARDNER
James Knoll Gardner
United States District Judge